

1926, ch. 578, § 6, as added June 23, 1959, Pub. L. 86-66, § 3, 73 Stat. 111.)

REFERENCES IN TEXT

The Act of May 24, 1939, referred to in the text, is act May 24, 1939, ch. 144, 53 Stat. 753, which is not classified to this Code.

§ 869a. Repealed. Pub. L. 86-66, § 1, June 23, 1959, 73 Stat. 110.

Section, act Apr. 13, 1928, ch. 370, §§ 1, 2, 45 Stat. 429, extended provisions of section 869 of this title to former Oregon and California Railroad grant lands revested in the United States and to former Coos Bay Wagon Road grant lands reconveyed to the United States.

§ 872. Conveyances to United States in connection with applications for amendment of patented entries or for exchange of land, etc.; withdrawal or rejection of applications; reconveyances.

TRANSFER OF FUNCTIONS

Functions of the Secretary of the Interior under this section, with respect to execution of quitclaim deeds for lands conveyed to the United States in connection with exchange transactions involving lands under the jurisdiction of the Secretary of Agriculture, transferred to the Secretary of Agriculture, see Pub. L. 86-509, June 11, 1960, 74 Stat. 205, set out as a note under section 511 of Title 5, Executive Departments and Government Officers and Employees.

Chapter 23.—GRANTS OF SWAMP AND OVERFLOWED LANDS

§ 982. Grant to States to aid in construction of levees and drains.

GRANTS NOT TO EXTEND TO ALASKA

Admission of Alaska into the Union was accomplished Jan. 3, 1959, upon issuance of Proc. No. 3269, Jan. 5, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1 and 8(c) of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, set out as notes preceding section 21 of Title 48, Territories and Insular Possessions.

Land grant under Alaska Statehood provisions in lieu of grant of land under this section (declared not to extend to Alaska), see section 6(l) of Pub. L. 85-508, set out as a note preceding section 21 of Title 48.

Chapter 28.—MISCELLANEOUS PROVISIONS RELATING TO THE PUBLIC LANDS

§ 1171. Sale of isolated or disconnected tracts.

CROSS REFERENCE

Oil, coal and gas deposit bearing lands in Alaska, sale under provisions of this section, see section 377a of Title 48, Territories and Insular Possessions.

Chapter 29.—SUBMERGED LANDS

§ 1301. Definitions.

APPLICATION TO STATE OF ALASKA

Admission of Alaska into the Union was accomplished Jan. 3, 1959, upon issuance of Proc. No. 3269, Jan. 5, 1959, 24 F.R. 81, 73 Stat. c16, as required by sections 1 and 8(c) of Pub. L. 85-508, July 7, 1958, 72 Stat. 339, set out as notes preceding section 21 of Title 48, Territories and Insular Possessions.

Applicability of this chapter to the State of Alaska, see section 6(m) of Pub. L. 85-508, set out as a note preceding section 21 of Title 48.

APPLICATION TO STATE OF HAWAII

Applicability of this chapter to the State of Hawaii, see section 5(i) of Pub. L. 86-3, Mar. 18, 1959, 73 Stat. 6, set out as a note preceding section 491 of Title 48, Territories and Insular Possessions.

§ 1334. Administration of leasing.

KEY LARGO CORAL REEF PRESERVE

Secretary of the Interior to prescribe rules and regulations governing the protection and conservation of the coral and other mineral resources in the area designated Key Largo Coral Reef Preserve, see Proc. No. 3339, Mar. 17, 1960, 25 F. R. 2352, set out as a note under section 461 of Title 16, Conservation.

§ 1341. Reservation of lands and rights.

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(e) Source materials essential to production of fissionable materials.

All uranium, thorium, and all other materials determined pursuant to paragraph (1) of subsection (b) of section 5 of the Atomic Energy Act of 1946, as amended, to be peculiarly essential to the production of fissionable material, contained, in whatever concentration, in deposits in the subsoil or seabed of the outer Continental Shelf are reserved for the use of the United States.

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REFERENCES IN TEXT

Paragraph (1) of subsection (b) of section 5 of the Atomic Energy Act of 1946, as amended, referred to in subsec. (e), is covered by section 2092 of Title 42, The Public Health and Welfare.

KEY LARGO CORAL REEF PRESERVE

Withdrawal of area designated Key Largo Coral Reef Preserve from disposition, see Proc. No. 3339, Mar. 17, 1960, 25 F. R. 2352, set out as a note under section 461 of Title 16, Conservation.

Chapter 30.—ADMINISTRATION OF PUBLIC LANDS [New]

SUBCHAPTER I.—GENERAL PROVISIONS

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- 1361. Definition of "public lands".
- 1362. Improvement, management, use and protection of public lands and resources; investigations, studies, and experiments.
- 1363. Same; cooperative agreements.
- 1364. Same; acceptance of contributions and donations.

SUBCHAPTER II.—SERVICE CHARGES AND EXCESS PAYMENTS

- 1371. Fees, charges and commissions for applications and other documents relating to public lands and resources; publication in Federal Register.
- 1372. Existing fees, charges, and commissions.
- 1373. Price of copies of records furnished by Department.
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SUBCHAPTER III.—DEPOSITS AND FORFEITURES

- 1381. Forfeiture of bond or deposit by timber purchaser or permittee; deposit into Treasury; availability for forest improvement, protection, or rehabilitation work.
- 1382. Maintenance of roads and trails under jurisdiction of Bureau of Land Management; deposit of money; availability.
- 1383. Oregon and California Railroad and Coos Bay Wagon Road Grant lands; expenditure of moneys collected for benefit of land; transfer of excess.

SUBCHAPTER I.—GENERAL PROVISIONS

§ 1361. Definition of "public lands".

For the purposes of this chapter the term "public lands" means all Federal lands administered by the Bureau of Land Management. (Pub. L. 86-649, § 2, July 14, 1960, 74 Stat. 506.)

## SHORT TITLE

Section 1 of Pub. L. 86-649 provided that Pub. L. 86-649, which added this chapter and repealed sections 23, 82, 84, and 95-98a of this title, may be known as the "Public Land Administration Act."

**§ 1362. Improvement, management, use and protection of public lands and resources; investigations, studies, and experiments.**

The Secretary of the Interior may conduct investigations, studies, and experiments, on his own initiative or in cooperation with others, involving the improvement, management, use, and protection of the public lands and their resources under his jurisdiction. (Pub. L. 86-649, title I, § 101, July 14, 1960, 74 Stat. 506.)

**§ 1363. Same; cooperative agreements.**

The Secretary of the Interior may enter into cooperative agreements involving the improvement, management, use, and protection of the public lands and their resources under his jurisdiction. The provisions of this section shall apply only in those cases where the making of cooperative agreements for such purposes is neither expressly authorized nor expressly prohibited by other provisions of law. (Pub. L. 86-649, title I, § 102, July 14, 1960, 74 Stat. 506.)

**§ 1364. Same; acceptance of contributions and donations.**

(a) The Secretary of the Interior may accept contributions or donations of money, services, and property, real, personal, or mixed, for the improvement, management, use, and protection of the public lands and their resources under his jurisdiction including the acquisition of rights-of-way for such purposes. He may accept contributions for cadastral surveying performed on federally controlled or intermingled lands. Moneys received hereunder shall be covered into the Treasury and are appropriated and made available until expended, as the Secretary may direct, for payment of expenses incident to the function toward the administration of which the contributions were made and for refunds to depositors of amounts contributed by them in specific instances where the contribution is in excess of their share of the cost.

(b) This section shall not in any manner limit or repeal any existing statutory authority empowering the Secretary of the Interior to accept contributions or donations. (Pub. L. 86-649, title I, § 103, July 14, 1960, 74 Stat. 506.)

**SUBCHAPTER II.—SERVICE CHARGES AND EXCESS PAYMENTS**

**§ 1371. Fees, charges, and commissions for applications and other documents relating to public lands and resources; publication in Federal Register.**

Notwithstanding any other provision of law, the Secretary of the Interior may establish reasonable filing fees, service fees and charges, and commissions with respect to applications and other documents relating to public lands and their resources under his jurisdiction, and may change and abolish such fees, charges, and commissions. Before any action is taken under this section, the Secretary shall publish in the Federal Register notice of his intention to take such action, and shall afford interested

parties a period of thirty days, or, if he shall find it advisable, more, within which to submit data, views and arguments, either in writing or, if he shall deem it desirable, in open hearing. (Pub. L. 86-649, title II, § 201, July 14, 1960, 74 Stat. 506.)

**§ 1372. Existing fees, charges, and commissions.**

All fees, charges, and commissions prescribed by existing law or regulation shall remain in effect until changed or abolished by the Secretary. (Pub. L. 86-649, title II, § 202(a), July 14, 1960, 74 Stat. 506.)

## CODIFICATION

Section comprises subsec. (a) of section 202 of Pub. L. 86-649. Subsec. (b) of section 202 is set out as a note under this section.

## REPEALS

Section 202(b) of Pub. L. 86-649 provided that: "Subject to the provisions of this section, any provisions in statutes which fix fees, service fees or charges, or commissions for the purposes covered in this title, are hereby repealed, including, without limitation, the first proviso of the General Land Office appropriations in the Act of February 14, 1931 (46 Stat. 1115, 1118; 43 U.S.C. 23), section 2239 of the Revised Statutes (43 U.S.C. 84), and such provisions of the following Acts as are contained in section 82, title 43, United States Code:

| Act                             | Citation              |
|---------------------------------|-----------------------|
| "Revised Statutes.....          | Section 2238.         |
| "May 14, 1880 (in sec. 2).....  | 21 Stat. 140, 141.    |
| "December 17, 1880.....         | 21 Stat. 311.         |
| "July 26, 1892.....             | 27 Stat. 270.         |
| "March 22, 1904.....            | 33 Stat. 144.         |
| "May 29, 1908 (in sec. 14)..... | 35 Stat. 465, 468.    |
| "January 24, 1923.....          | 42 Stat. 1174, 1179.  |
| "June 5, 1924.....              | 43 Stat. 390, 395.    |
| "March 3, 1925.....             | 43 Stat. 1141, 1145." |

**§ 1373. Price of copies of records furnished by Department.**

This chapter shall not be construed as affecting the provisions of section 488 of Title 5, relating to the price of copies of records furnished by the Department of the Interior. (Pub. L. 86-649, title II, § 203, July 14, 1960, 74 Stat. 507.)

**§ 1374. Refund of excess and other payments.**

In any case where it shall appear to the satisfaction of the Secretary of the Interior that any person has made a payment under any statute relating to the sale, entry, lease, use, or other disposition of the public lands which is not required, or is in excess of the amount required, by applicable law and the regulations issued by the Secretary, the Secretary, upon application or otherwise, may cause a refund to be made from applicable funds. (Pub. L. 86-649, title II, § 204(a), July 14, 1960, 74 Stat. 507.)

**SUBCHAPTER III.—DEPOSITS AND FORFEITURES**

**§ 1381. Forfeiture of bond or deposit by timber purchaser or permittee; deposit into Treasury; availability for forest improvement, protection, or rehabilitation work.**

Any moneys received by the United States as a result of the forfeiture of a bond or deposit by a timber purchaser or permittee who does not fulfill the requirements of his contract or permit or does not comply with the regulations of the Department, or as a result of a compromise or settlement of any claim whether sounding in tort or in contract involving present or potential damage to timberlands,

shall be covered into the Treasury and are appropriated and made available, until expended as the Secretary may direct, to cover the cost to the United States of any forest improvement, protection, or rehabilitation work, which has been rendered necessary by the action which has led to the forfeiture, compromise, or settlement. (Pub. L. 86-649, title III, § 301, July 14, 1960, 74 Stat. 507.)

**§ 1382. Maintenance of roads and trails under jurisdiction of Bureau of Land Management; deposit of money; availability.**

The Secretary of the Interior may require a user or users of roads or trails under the jurisdiction of the Bureau of Land Management to maintain such roads or trails in a satisfactory condition commensurate with the particular use requirements and the use made by each, the extent of such maintenance to be shared by the users in proportion to such use or, if such maintenance cannot be so provided, to deposit sufficient money to enable the Secretary to

provide such maintenance. Such deposits shall be covered into the Treasury and are appropriated and made available until expended, as the Secretary may direct, to cover the cost to the United States of the maintenance of any road or trail under the jurisdiction of the Bureau of Land Management. (Pub. L. 86-649, title III, § 302, July 14, 1960, 74 Stat. 507.)

**§ 1383. Oregon and California Railroad and Coos Bay Wagon Road Grant lands; expenditure of moneys collected for benefit of land; transfer of excess.**

Any moneys collected under this chapter in connection with lands administered under sections 1181a—1181f of this title shall be expended for the benefit of such land only. If any portion of a deposit or amount forfeited under this chapter is found by the Secretary to be in excess of the cost of doing the work authorized under this chapter, the amount in excess shall be transferred to miscellaneous receipts. (Pub. L. 86-649, title III, § 303, July 14, 1960, 74 Stat. 508.)